IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA ASHEVILLE DIVISION 1:10CV119-MU

PENNY DUNSTON,)	
Plaintiff,)	
vs.)	ORDER
BANK OF AMERICA, N.A., and NATIONWIDE TRUSTEE SERVICE,)	
INC.,)	
Defendants.))	

This matter is before the Court upon the memorandum and recommendation of United States Magistrate Dennis L. Howell, filed July 7, 2010. The parties were advised that pursuant to 28 U.S.C. § 636(b)(1)(C), and Rule 72, Federal Rules of Civil Procedure, written objections to the memorandum and recommendation must be filed within 14 days after service of the memorandum. It appears to the Court that the parties have not filed any such objections. After an independent and thorough review of the magistrate's memorandum, the Court concludes that there is no clear error on the face of the record and that the recommendation to grant Bank of America, N.A.'s Motion to Dismiss is correct and in accordance with law. Accordingly, the findings and conclusions of the magistrate are affirmed.

IT IS THEREFORE ORDERED that the memorandum and recommendation of the

magistrate is hereby AFFIRMED.

Signed: August 9, 2010

Graham C. Mullen United States District Judge